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March 17, 2021

VIA ECF

Hon. Jesse M. Furman
United States District Judge
United States District Court
Southern District of New York
40 Centre Street, Room 2202
New York, NY 10007

Re: *Letter Motion to Request Permission to File Redacted Documents*
Willis Re Inc., et al. v. Herriott, No. 21-cv-00487(JMF)

Dear Judge Furman:

We represent defendant Paul Herriott in the above-referenced matter.

We intend to e-file declarations and a memorandum of law in opposition to the Emergency Order to Show Cause to Find Defendant in Contempt filed by Plaintiffs Willis Towers Watson Public Limited Company and Willis Re Inc. (collectively "Willis"). See Dkt. No. 62. The e-filing will include declarations from two executives of the clients in connection with which Willis contends Herriott has violated this Court's Temporary Restraining Order. Those individuals do not seek confidential treatment of their declarations.

Nonetheless, the names of these individuals and their companies were treated as confidential by Willis in its papers. In order to avoid any potential argument regarding a violation of the Protective Order entered in this case and pursuant to Your Honor's Individual Rules and Practices in Civil Cases, Section 7, we write to request permission to publicly file, at least temporarily, copies of the declarations from the two executives with their names and the names of their respective companies redacted; in our memorandum of law, we refer to the individuals as "CEO 1" and "CEO 2" and to the related companies as "Client 1" and "Client 2." We further request permission to file under seal unredacted copies of these declarations for the Court under the ex parte viewing level.

While we make this request in an abundance of caution and borne of a desire to avoid needless disputes about compliance with the Protective Order, we do not believe these declarations, filed by non-parties who do not wish to keep their identities confidential, would ultimately be properly sealed pursuant to *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006). See Dkt. No. 55 (entering Protective Order, citing *Lugosch*, and stating, "This Court...has not reviewed the documents referenced herein; therefore, by so ordering this



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stipulation, the Court makes no finding as to whether the documents are confidential. That finding will be made, if ever, upon a document-by-document review pursuant to the procedures set forth in the Court's Individual Rules and Practices and subject to the presumption in favor of public access to 'judicial documents.'") As such, if the Court denies this application on that basis or otherwise, we would promptly file unredacted copies of the declarations on the public docket.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark S. Sullivan'.

Mark S. Sullivan

Application GRANTED on a temporary basis. The Court will evaluate whether to whether to maintain the redactions on a permanent basis when deciding the underlying motion. If Plaintiffs wish to be heard on the matter, they shall file a letter in conjunction with their reply papers. The Clerk of Court is directed to terminate ECF No. 71. SO ORDERED.

A handwritten signature in black ink, appearing to read 'Jesse M. Furman'.

March 18, 2021